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McCloy  
Ball

12/3/62, 4:45 p.m.

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McCloy: ..... the condition being to the word "threat"; that this could be interpreted any way we pleased. The big argument about the Rio pact referring to Article 5 is being in violation of the UN Charter. All of the argument on what we've had before about the Rio pact, and the Rio pact really wouldn't be consistent with what we had agreed to do in the 27th-28th exchange. Then he talked about a number of other things--one was the clause about the continuation of our negotiations to try to improve conditions, not only around the world but in the Caribbean. Then there was a good bit of emphasis on the words "capable of offensive action". And he said that was a new phrase--didn't like that phrase. That what we were talking about was the nuclear weapons; that any kind of weapon if it was in the right spot at the right time could be capable of offensive action. And I said that was a phrase, I suppose, that any weapon or pistol that was carried into the United States and killed the President would be offensive action, but that we weren't talking about that--we were talking about things he knew about. And he said I think that language has to be changed so that it conforms more with the exchange that we had--namely offensive weapons and weapons that you consider to be offensive. He repeated the President's thing on that, and I said I didn't know that that was a point of really grave concern. But they seem to be quite agitated over the weapons capable of offensive action--that would mean anything. Then he started in this whole business about the fact that we were not doing anything; but we finally knocked that out without much difficulty, and he finally ended up by saying both sides had done a good bit but we had to continue this spirit. But he must advise me that if we continued to insist upon the inclusion of the Rio pact, the overflight clause, and the "threat" word, we would have great difficulty in trying to reach any agreed statement that this would have a big effect both ways. If we did, the atmosphere would be fine for further talks about other world problems between the US and USSR. He put more emphasis on that than heretofore. I told you about all this business about

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the Rio Pact being contrary to the UN Charter, and he read from Article 8 of that Treaty and Article 6 of that Treaty; and that this was a depreciation of our commitment not to invade if we included that, and I said the more he talked about that the more he convinced me that it was absolutely essential to keep the Rio Pact in, because he was urging what we were doing modified it; that would immediately have to go to the Senate to get a modification of it--2/3 consent, etc. and that was fantastic. It was neither in his interest, nor in our interest. Obviously, I think that Mikoyan has clipped his wings a little bit.

GWB: Yes, that is perhaps right.

McCloy: That seems to be quite clear. He was a little more amenable until he got here. Mikoyan bawled him out for a couple of things apparently when he was here. Zorin was present this afternoon. And then he brought up again the Castro condition in the protocol. We again jumped on those. I think it was pretty proforma on that. He said that they never committed themselves to an on-site inspection without Castro's consent. I referred to the President's letter which said that our conditions were dependent upon that. He didn't seem to object in the conditions that are contained in there that provided "threat to the security of the Western Hemisphere". He put a great deal of emphasis on that. I wouldn't be surprised that if we went back to attack it would be helpful, and I am inclined to think that though they dug in pretty hard on this, there is some basis for trade in those three things--the Rio Pact, the overflight and the word "threaten". He talked about some minor things and didn't really mean much, the U Thant business; and he didn't like the word "minimum" form of inspection--it is a little inconsistent which provided substantial verification and they have taken out what they said they brought in. So I was inclined to strike that out, cause we really derogated from that anyway. That doesn't really mean anything. He didn't object to the other part--Then he said "you're talking about past history" every time I brought up deception and that this was the price which they had to pay for their false assurances and he squirmed every time I said that, but I made it clear that was an

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element in the whole picture that they had to take into account and that we would not forego the use of the overflights as long as we didn't have other satisfactory means of checking, and he said this is very very difficult and I said we weren't necessarily asking that they should agree to it. Maybe there was some other language. But it should be perfectly clear that it was our intent to use these and that the world should know it. I told him we were getting a lot of intelligence to the effect there was some stuff stored down there and that this posed a problem not only to American people but we had to have something other than the reliance upon Castro's word; he bore down on the U Thant business again; it was a formal proposal; that the introduction of reciprocity was out; the Soviet Union would also be involved. That the President expressed confidence that the other nations would be prepared to do likewise; that there wasn't a word in here as to what he was prepared to do. He ought not only to be confident of it, but he ought to undertake to restrain other countries from attacking Cuba, and I said this was merely an expression of opinion and was not in the operating clauses, but what did he propose to do. He was fishing around there for something other than the expression of confidence; that he was going to use his good offices, or something like that.

Ball: Did he give you a draft of any kind?

McCloy: No, he said they were working on it and would give it to us within two days.

Ball: Mikoyan handed Rusk a draft of something, but I don't quite know as to just what it was.

McCloy: He said they were still working on it. And he brought up again the military units and reaffirmed their commitment to take them out but emphasized that this is a new condition and should not be conditional upon our stating the assurance. He reaffirmed again that they were going to take them out. With regard to the continuation point, something should be said in there about the continuation of negotiations (which would be a cover to bring back the Castro conditions.) I said you are talking in terms of world problems with you, and I don't suppose we object too much to continue to

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negotiation, but we can't talk about continuing to negotiate the Cuban thing after we liquidate it. How much he may continue to press that, I don't know. He talked about re-establishment of diplomatic relations with Cuba and made a great to-do about the President's statement we are going to continue with economic sanctions--that this is terrible, etc. It ended up really with unless we consented on those three things, we would have difficulty in getting an agreement. I am not sure whether if we changed the wording here and there he would stick by that, but he seemed to be digging in harder on that than he was with me the other night.

Ball: This must be the result of the Armenian thing.

McCloy: I think that is right. Quite clearly he was anxious to get in the record I think for his own purposes a little firmer attitude as a result of the Mikoyan visit. But those things, together with the emphasis upon how this was done, and what it might lead to in our other relations--that this was going to really have an effect on Berlin or (he didn't use Berlin).

Ball: He was setting it up so Zorin would send a good telegram back.

McCloy: I think that is right. They do seem to be anxious to get us into the UN--get an agreed statement and get to the UN. They don't like the idea of separate statements and so they have agreed to disagree. Then have a resolution adopted by the UN commending their man and our man for statesmanlike position they have taken and an expression of the hope that this would lead to a solution of some of the cold war problems.

Ball: We had a meeting of the Executive Committee this morning, which was addressed to India primarily. Adlai was there and perhaps is back in New York by this time. He would, as a result of the discussion this morning, .... (reads conversation Khrushchev had with Canadian Ambassador in Moscow) he made a much stronger and tougher line on the Berlin situation and general East-West relations than he had

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with Roberts. It gave some indication that we may be heading for rockier times. There was a feeling that under the circumstances it might be just as well for us not to have closed this Cuban thing out immediately but to nurse it along and see if they feed this other thing out-- then we won't be in position of locking ourselves in on Cuba. Adlai's suggestion was that what we ought to think about was possibly going as far as we could in discussions, and I am not sure we aren't approaching that point, then possibly not having a meeting of the SC, agreeing with them on as much as we can and each get up two separate statements to the SC simply reporting on this. I think he will want to talk with you about this possible line, since this would not lock us in as any formal arrangement of the SC would do, and at the same time we would have shown some areas of agreement between us and can express them. The President is very reluctant to get locked in and to make any concessions which might result in an agreement that would give the impression that the Cuban thing was completely disposed of and that our hands, to some extent, were tied down there if we are going to go into another hot period with them. This is a kind of a fine tactical concession we have to make. I think it would be helpful if we saw just what they were going to propose themselves. This draft Mikoyan handed the Secretary, and I don't know the history of it, on Article 3 of the draft Protocol. This is, at least, what they're thinking about, and I will put it on the wire for you. (reads it to him)

McCloy: I would say the net result of this that we are pretty much further away from an agreement that I thought I might be able to make. I think there is nothing for us to do but sit back and wait for their draft now and then let nature take its course. They are dying to get something before the UN. It's just that we might be able to make a trade on those three points. This is the picture. They were putting a good deal of emphasis on "Do this and we'll be more amenable, etc."

Ball: It's just a natural kind of bargaining thing.

McCloy: We'll be sending down a telegram on this.

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